

(1) the estimated date when the Army Ignited program will be fully functional;

(2) the estimated date when service members will be reimbursed for out of pocket expenses caused by processing delays and errors under the Army Ignited program; and

(3) the estimated date when institutions of higher education will be fully reimbursed for all costs typically provided through the Tuition Assistance Program but delayed due to processing delays and errors under the Army Ignited program.

SA 4097. Mr. LANKFORD (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXECUTIVE ORDERS 14042 AND 14043.

The provisions of Executive Order 14042 (86 Fed. Reg. 50985; relating to ensuring adequate COVID safety protocols for Federal contractors) and Executive Order 14043 (86 Fed. Reg. 50989; relating to requiring Coronavirus Disease 2019 vaccination for Federal employees) are rescinded and shall have no force or effect.

SA 4098. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. USE OF SCIENTIFIC INFORMATION IN RULEMAKING.

Section 553 of title 5, United States Code, is amended by adding at the end the following:

“(f) To the extent that an agency makes a decision based on science when issuing a rule under this section, the agency shall use scientific information, technical procedures, measures, methods, protocols, methodologies, or models, employed in a manner consistent with the best available science, and shall consider as applicable—

“(1) the extent to which the scientific information, technical procedures, measures, methods, protocols, methodologies, or models employed to generate the information are reasonable for and consistent with the intended use of the information;

“(2) the extent to which the information is relevant for use by the head of the agency in making a decision related to issuing the rule;

“(3) the degree of clarity and completeness with which the data, assumptions, methods, quality assurance, and analyses employed to generate the information are documented;

“(4) the extent to which the variability and uncertainty in the information, or in the procedures, measures, methods, protocols,

methodologies, or models, are evaluated and characterized; and

“(5) the extent of independent verification or peer review of the information or of the procedures, measures, methods, protocols, methodologies, or models.

“(g) An agency shall make a decision described in subsection (f) based on the weight of the scientific evidence.

“(h) Each agency shall make available to the public—

“(1) all notices, determinations, findings, rules, consent agreements, and orders of the head of the agency in connection with a rule;

“(2) a nontechnical summary of each risk evaluation conducted in connection with a rule; and

“(3) a list of the studies considered by the agency in carrying out each risk evaluation described in paragraph (2), along with the results of those studies.”.

SA 4099. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BLENDED FEDERAL WORKFORCE.

(a) IN GENERAL.—Section 1103(c) of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “(c)(1)” and inserting “(c)(1)(A)”; and

(B) by adding at the end the following:

“(B)(i) The Office of Personnel Management shall collect from Executive agencies, other than elements of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), on at least an annual basis the following:

“(I) The total number of persons employed directly by the Executive agency.

“(II) The total number of prime contractor employees and subcontractor employees, as those terms are defined in section 8701 of title 41, issued credentials allowing access to Executive agency property or computer systems.

“(III) The total number of employees of Federal grant and cooperative agreement recipients, as those legal instruments are described in sections 6304 and 6305 of title 31, respectively, who are issued credentials allowing access to Executive agency property or computer systems.

“(IV) A total count of the workforce, including employees, prime contractor employees, subcontractor employees, grantee employees, and cooperative agreement employees.

“(i) The Office of Personnel Management shall compile the data collected under clause (i) and issue, and post on its website, an annual report containing the data.”; and

(2) in paragraph (2), by striking “paragraph (1)” and inserting “paragraph (1)(A)”.

(b) SENSE OF CONGRESS ON EFFECTIVE AND EFFICIENT MANAGEMENT OF THE BLENDED FEDERAL WORKFORCE.—

(1) DEFINITION.—In this subsection, the term “Executive agency” has the meaning given the term in section 105 of title 5, United States Code.

(2) FINDINGS.—Congress finds the following:

(A) The implementation of Federal laws and the competent administration of Federal

programs require skilled and capable personnel.

(B) Executive agencies depend on a blended workforce that includes Federal employees, employees of prime contractors and subcontractors performing services to Executive agencies, and employees of State or local governments, nonprofit organizations, or institutions of higher education performing services to Executive agencies under the terms of grants and cooperative agreements (in this subsection referred to as “grantees”), all of whom make essential contributions to achieving the missions of the Government in service to the people of the United States.

(C) Approximately 2,000,000 Federal employees help to execute the laws of the United States, supplemented by an unknown number, estimated to exceed 5,000,000, of employees of prime contractors, subcontractors, and grantees providing services to Executive agencies.

(D) Policymakers, Executive agencies, and observers have often focused on individual components of the blended workforce, such as employees, without considering all components or considering the entire blended workforce and how all 3 components can work most effectively together.

(E) Executive agencies inhibit their own workforce planning and risk making decisions that may reduce the overall efficiency and cost effectiveness of the blended workforce by focusing on only 1 component in isolation.

(F) Establishing artificial limits on headcounts or full-time equivalent positions for Federal employees, administrators, and managerial employees of Executive agencies may discourage the employment of interns or entry-level employees to build a balanced employment pipeline and may inadvertently encourage managers to shift work to contractors and grantees for the purpose of complying with such numerical limits, even if those decisions are not justified by an approach to improve the efficiency or cost effectiveness of the Executive agency’s work.

(G) The Government Accountability Office has identified strategic human capital management as a high-risk area for the Federal Government, adding that critical skills gaps “impede the government from cost-effectively serving the public and achieving results”.

(3) SENSE OF CONGRESS.—It is the sense of Congress that Executive agencies should—

(A) manage the entire Federal blended workforce, including employees, contractors, and grantees, using a comprehensive and holistic approach to advance their missions as effectively and cost efficiently as possible, within appropriated budgets and without using artificial numerical limits on headcounts or full-time-equivalent positions; and

(B) conduct a holistic review of their blended workforce and develop a comprehensive plan to ensure an efficient and cost-effective blended workforce.

SA 4100. Mr. LANKFORD (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: